



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Set public hearing for September 6, 2006 to hear two appeals of a Planning Commission's site and architectural plan approval for the Vineyard Christian Middle School at 2301 West Lodi Avenue. (Appellants; Vineyard Christian Middle School and Dave Johnson & Others, regarding File# 06-SP-06)

MEETING DATE: August 16, 2006

PREPARED BY: Community Development Department

RECOMMENDED ACTION: Set public hearing for September 6, 2006 to hear two appeals of a Planning Commission's site and architectural plan approval for the Vineyard Christian Middle School at 2301 West Lodi Avenue. (Appellants; Vineyard Christian Middle School and Dave Johnson & Others, File# 06-SP-06)

BACKGROUND INFORMATION: At their meeting of July 26, 2006, the Lodi City Planning Commission held a Public Hearing to hear an appeal of the Lodi Site Plan and Architectural Review Committee (SPARC) approval regarding re-configuration of the school buildings, elimination of the northern driveway and use the middle driveway. Following extensive public testimony and discussion, the Planning Commission voted 4-2 (Commissioners Kiser and Moran voting No and Commissioner Cummins absent) to deny the appeal affirming the approval of SPARC and adding/modifying four conditions of approval regarding wall/fencing, landscaping, on-site circulation and architectural enhancements.

The Vineyard Christian Middle School (Applicant) has appealed this action. Specifically they are appealing the condition requiring the block wall and landscaping to be completed before the school can occupy the buildings. They are requesting temporary occupancy be allowed giving the school 60 days to complete the wall and landscaping. It should be noted that once a project is appealed, any related issue can be considered at the appeal, it is a totally new hearing considering all site plan and architectural issues.

Dave Johnson & Others (opponents) have also appealed this action. Specifically they are appealing the parking lot layout as it pertains to the northern most driveway. In addition they are protesting the applicant's violation of the condition B, requiring all work to be subject to the building permit process.

FISCAL IMPACT: None

FUNDING AVAILABLE: Not Applicable



Randy Hatch
Community Development Director

cc: City Attorney

APPROVED: 

Blair King, City Manager



***Please immediately confirm receipt
of this fax by calling 333-6702***

CITY OF LODI
P. O. BOX 3006
LODI, CALIFORNIA 95241-1910

ADVERTISING INSTRUCTIONS

NOTICE OF PUBLIC HEARING ON SEPTEMBER 6, 2006, TWO APPEALS OF THE PLANNING COMMISSION'S SITE AND ARCHITECTURAL PLAN APPROVAL FOR THE VINEYARD CHRISTIAN MIDDLE SCHOOL AT 2301 WEST LODI AVENUE. (APPELLANTS: VINEYARD CHRISTIAN MIDDLE SCHOOL AND DAVID JOHNSON, ET AL. REGARDING FILE #06-SP-06).

LEGAL AD

PUBLISH DATE: SATURDAY, AUGUST 18, 2006

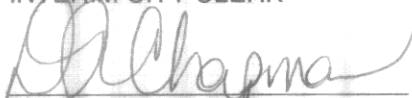
TEAR SHEETS WANTED: Three (3) please

SEND AFFIDAVIT AND BILL TO: JENNIFER M. PERRIN, INTERIM CITY CLERK
City of Lodi
P.O. Box 3006
Lodi, CA 95241-1910

DATED: THURSDAY, AUGUST 17, 2006

ORDERED BY: JENNIFER M. PERRIN
INTERIM CITY CLERK

JENNIFER M. PERRIN, CMC
INTERIM CITY CLERK


DANA R. CHAPMAN
ADMINISTRATIVE CLERK

JACQUELINE L. TAYLOR, CMC
DEPUTY CITY CLERK

Verify Appearance of this Legal in the Newspaper – Copy to File

LNS Faxed to the Sentinel at 369-1084 at 345g (time) on 8/17/06 (date) 2 (pages)
DIANE Phoned to confirm receipt of all pages at 354 (time) JLT DRC JMP (initials)



DECLARATION OF POSTING

NOTICE OF PUBLIC HEARING ON SEPTEMBER 6, 2006, TWO APPEALS OF THE PLANNING COMMISSION'S SITE AND ARCHITECTURAL PLAN APPROVAL FOR THE VINEYARD CHRISTIAN MIDDLE SCHOOL AT 2301 WEST LODI AVENUE. (APPELLANTS: VINEYARD CHRISTIAN MIDDLE SCHOOL AND DAVID JOHNSON, ET AL. REGARDING FILE #06-SP-06).

On Friday, August 18, 2006, in the City of Lodi, San Joaquin County, California, Notice of Public Hearing on September 6, 2006, two appeals of the Planning Commission's site and architectural plan approval for the Vineyard Christian Middle School at 2301 West Lodi Avenue. (Appellants: Vineyard Christian Middle School and David Johnson, et al. File # 06-SP-06), was posted at the following locations:

Lodi Public Library
Lodi City Clerk's Office
Lodi City Hall Lobby
Lodi Carnegie Forum

I declare under penalty of perjury that the foregoing is true and correct.

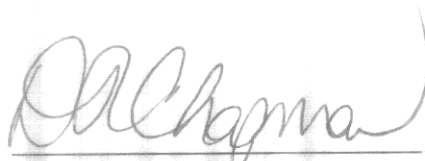
Executed on August 18, 2006, at Lodi, California.

ORDERED BY:

**JENNIFER M. PERRIN
INTERIM CITY CLERK**

JENNIFER M. PERRIN, CMC
INTERIM CITY CLERK

JACQUELINE L. TAYLOR, CMC
DEPUTY CITY CLERK



DANA R. CHAPMAN
ADMINISTRATIVE CLERK



DECLARATION OF MAILING

NOTICE OF PUBLIC HEARING ON SEPTEMBER 6, 2006, TWO APPEALS OF THE PLANNING COMMISSION'S SITE AND ARCHITECTURAL PLAN APPROVAL FOR THE VINEYARD CHRISTIAN MIDDLE SCHOOL AT 2301 WEST LODI AVENUE. (APPELLANTS: VINEYARD CHRISTIAN MIDDLE SCHOOL AND DAVID JOHNSON, ET AL. REGARDING FILE #06-SP-06).

On August 18, 2006, in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a copy of the Public Hearing for two appeals of the Planning Commission's site and architectural plan approval for the Vineyard Christian Middle School at 2301 West Lodi Avenue. (Appellants: Vineyard Christian Middle School and David Johnson, et al. File # 06-SP-06), was posted at the following locations:

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 18, 2006, at Lodi, California.

ORDERED BY:

**JENNIFER M. PERRIN
INTERIM CITY CLERK, CITY OF LODI**

ORDERED BY:

JENNIFER M. PERRIN, CMC
INTERIM CITY CLERK

A handwritten signature in cursive script, appearing to read "D. Chapman", is written over a horizontal line.

DANA R. CHAPMAN
ADMINISTRATIVE CLERK

JACQUELINE L. TAYLOR, CMC
DEPUTY CITY CLERK



CITY OF LODI

Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: September 6, 2006

Time: 7:00 p.m.

For information regarding this notice please contact:

Jennifer M. Perrin
Interim City Clerk
Telephone: (209) 333-6702

NOTICE OF PUBLIC HEARING

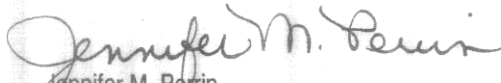
NOTICE IS HEREBY GIVEN that on **Wednesday, September 6, 2006** at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a public hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following matter:

- a) two appeals of the Planning Commission's site and architectural plan approval for the Vineyard Christian Middle School at 2301 West Lodi Avenue. (Appellants: Vineyard Christian Middle School and David Johnson, et al. File #06-SP-06).

Information regarding this item may be obtained in the Community Development Department, 221 West Pine Street, Lodi, (209) 333-6711. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk, City Hall, 221 W. Pine Street, 2nd Floor, Lodi, 95240 at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

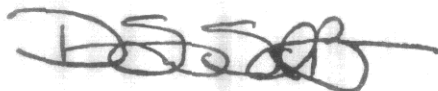
If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the close of the public hearing.

By Order of the Lodi City Council:


Jennifer M. Perrin
Interim City Clerk

Dated: August 16, 2006

Approved as to form:



D. Stephen Schwabauer
City Attorney

CITY COUNCIL

SUSAN HITCHCOCK,
Mayor

BOB JOHNSON,
Mayor Pro Tempore

JOHN BECKMAN

LARRY D. HANSEN

JOANNE MOUNCE

CITY OF LODI



BLAIR KING,
City Manager

JENNIFER M. PERRIN,
Interim City Clerk

D. STEPHEN SCHWABAUER,
City Attorney

CITY HALL, 221 WEST PINE STREET / P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 333-6702 / FAX (209) 333-6807 / www.lodi.gov

August 11, 2006

Craig Cawelti
18850 Jordan Lane
Woodbridge, CA 95258

RE: APPEAL OF PLANNING COMMISSION DECISION (07/26/06)
Not to allow applicant 60 days to complete condition of block wall and landscaping starting from day of final approval to occupancy begins

This is to notify you that at the City Council meeting of August 16, 2006, at 7:00 p.m., or as soon thereafter as the matter can be heard, in the Council Chamber, at the Carnegie Forum, 305 West Pine Street, Lodi, the Council will consider setting the date for the public hearing pertaining to the above matter.

Enclosed is a copy of the August 16, 2006, City Council agenda and staff report related to Consent Calendar Item E-15 as prepared by the Community Development Department. Please note that prior to voting on the Consent Calendar the Mayor will offer an opportunity to the public to make comments. Should you wish to do so, please submit a "Request to Speak" card (*available in the Carnegie Forum*) to the City Clerk prior to the opening of the meeting.

Should you have any questions, please contact me at 333-6702, or Community Development Director Randy Hatch at 333-6711.

Sincerely,


Jennifer M. Perrin
Interim City Clerk

JMP

Enclosures

CITY COUNCIL

SUSAN HITCHCOCK,
Mayor

BOB JOHNSON,
Mayor Pro Tempore

JOHN BECKMAN

LARRY D. HANSEN

JOANNE MOUNCE

CITY OF LODI



BLAIR KING,
City Manager

JENNIFER M. PERRIN,
Interim City Clerk

D. STEPHEN SCHWABAUER,
City Attorney

CITY HALL, 221 WEST PINE STREET / P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 333-6702 / FAX (209) 333-6807 / www.lodi.gov

August 11, 2006

David Johnson
2200 Jackson Street
Lodi, CA 95242


RE: APPEAL OF PLANNING COMMISSION DECISION (07/26/06)
Use Permit Application #U-05-020 for Lodi Avenue Baptist Church to allow
Vineyard Christian Middle School to locate on church property at 2301 West
Lodi Avenue

This is to notify you that at the City Council meeting of August 16, 2006, at 7:00 p.m., or as soon thereafter as the matter can be heard, in the Council Chamber, at the Carnegie Forum, 305 West Pine Street, Lodi, the Council will consider setting the date for the public hearing pertaining to the above matter.

Enclosed is a copy of the August 16, 2006, City Council agenda and staff report related to Consent Calendar Item E-15 as prepared by the Community Development Department. Please note that prior to voting on the Consent Calendar the Mayor will offer an opportunity to the public to make comments. Should you wish to do so, please submit a "Request to Speak" card (*available in the Carnegie Forum*) to the City Clerk prior to the opening of the meeting.

Should you have any questions, please contact me at 333-6702, or Community Development Director Randy Hatch at 333-6711.

Sincerely,


Jennifer M. Perrin
Interim City Clerk

JMP

Enclosures

CITY COUNCIL

SUSAN HITCHCOCK,
Mayor

BOB JOHNSON,
Mayor Pro Tempore

JOHN BECKMAN

LARRY D. HANSEN

JOANNE MOUNCE

CITY OF LODI



BLAIR KING,
City Manager

JENNIFER M. PERRIN,
Interim City Clerk

D. STEPHEN SCHWABAUER,
City Attorney

CITY HALL, 221 WEST PINE STREET / P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 333-6702 / FAX (209) 333-6807 / www.lodi.gov

MAILED CERTIFIED MAIL
AND REGULAR U.S. POSTAL DELIVERY

August 17, 2006

Craig Cawelti
VCMS Board of Directors
18850 Jordan Lane
Woodbridge, CA 95258

RE: NOTICE OF CITY COUNCIL PUBLIC HEARING – September 6, 2006

This letter is to notify you that a public hearing will be held by the City Council on **Wednesday, September 6, 2006, at 7:00 p.m.**, or as soon thereafter as the matter can be heard, at the Carnegie Forum, 305 W. Pine Street, Lodi.

This hearing is being held to consider your appeal of the Planning Commission's decision on July 26, 2006, regarding site and architectural plan approval for the Vineyard Christian Middle School, located at 2301 West Lodi Avenue (Appellants: Vineyard Christian Middle School and David Johnson et al., regarding File# 06-SP-06).

If you challenge the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the public hearing.
NOTE: Written correspondence for the City Council may be mailed in c/o the City Clerk's Office, P.O. Box 3006, Lodi, CA 95241-1910, or delivered to the City Clerk at 221 West Pine Street, Lodi, California.

Should you have any questions, please contact my office or Community Development Director, Randy Hatch, at (209) 333-6711.

Sincerely,

A handwritten signature in black ink that reads "Jennifer M. Perrin".
Jennifer M. Perrin
Interim City Clerk

JMP

cc: Community Development Director

CITY COUNCIL

SUSAN HITCHCOCK,
Mayor

BOB JOHNSON,
Mayor Pro Tempore

JOHN BECKMAN

LARRY D. HANSEN

JOANNE MOUNCE

CITY OF LODI



BLAIR KING,
City Manager

JENNIFER M. PERRIN,
Interim City Clerk

D. STEPHEN SCHWABAUER,
City Attorney

CITY HALL, 221 WEST PINE STREET / P.O. BOX 3006

LODI, CALIFORNIA 95241-1910

(209) 333-6702 / FAX (209) 333-6807 / www.lodi.gov

MAILED CERTIFIED MAIL
AND REGULAR U.S. POSTAL DELIVERY

August 17, 2006

David Johnson
2200 Jackson Street
Lodi, CA 95242

RE: NOTICE OF CITY COUNCIL PUBLIC HEARING – September 6, 2006

This letter is to notify you that a public hearing will be held by the City Council on **Wednesday, September 6, 2006, at 7:00 p.m.**, or as soon thereafter as the matter can be heard, at the Carnegie Forum, 305 W. Pine Street, Lodi.

This hearing is being held to consider your appeal of the Planning Commission's decision on July 26, 2006, regarding site and architectural plan approval for the Vineyard Christian Middle School, located at 2301 West Lodi Avenue (Appellants: Vineyard Christian Middle School and David Johnson et al., regarding File# 06-SP-06).

If you challenge the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the public hearing. *NOTE: Written correspondence for the City Council may be mailed in c/o the City Clerk's Office, P.O. Box 3006, Lodi, CA 95241-1910, or delivered to the City Clerk at 221 West Pine Street, Lodi, California.*

Should you have any questions, please contact my office or Community Development Director, Randy Hatch, at (209) 333-6711.

Sincerely,


Jennifer M. Perrin
Interim City Clerk

JMP

cc: Community Development Director